

1 RAFAEL CRESPO, JR., ESQ.  
2 LAW OFFICES OF RAFAEL CRESPO, JR.  
3 354 Pine Street, 3<sup>rd</sup> Floor  
4 San Francisco, CA 94104  
5 Telephone No.: (415) 285-2063  
6 Facsimile No.: (415) 285-2088

7 Attorney for Plaintiff,  
8 Ely Bartolo

*Resub*  
**FILED**  
OCT 12 2011  
RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA --SAN JOSE DIVISION**

11 Ely Bartolo,

12 Plaintiff,

13 vs.

14 Elvira B. Cardona, Rodolfo Cardona, Monte  
15 Farley Manor, Does 1-30

16 Defendants.  
17

Case No. CV-10-05097 PSG

STIPULATION AND REQUEST FOR  
ORDER TO CONTINUE MEDIATION  
DEADLINE

18  
19 NOW COME THE PARTIES TO THIS CASE AND STIPULATE AS FOLLOWS:

20  
21 1. Plaintiff and all Defendants agree to extend the May 2, 2011 deadline to  
22 participate in mediation to a date mutually agreeable to all parties but no later than October 31,  
23 2011; the parties have, moreover, agreed to schedule the mediation on October 18, 2011.

24 2. The basis for this stipulation to continue the present mediation deadline is that  
25 plaintiff Ely Bartolo moved from her home without informing Plaintiff's counsel. This occurred  
26 when the parties were trying to schedule the mediation. Moreover, plaintiff does not have a  
27  
28

1 telephone number. Plaintiff's counsel was, therefore, unable to locate Ms. Bartolo to advise her  
2 of said mediation.

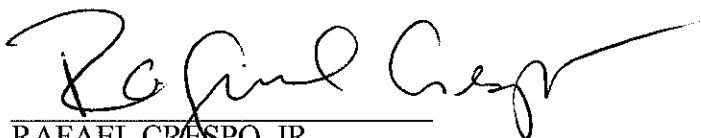
3 3. The parties, therefore, respectfully request that the court extend the deadline to  
4 participate in mediation to October 31, 2011. Plaintiff counsel has contacted defense counsel and  
5 the mediator John DiNapoli have tentatively arranged a new date for the mediation.  
6

7 SO STIPULATED:  
8

9 Dated: September 30, 2011

LAW OFFICES OF RAFAEL CRESPO, JR.

10  
11 By:



12 RAFAEL CRESPO, JR.  
13 Attorney for Plaintiff  
Ely Bartolo

14 Dated: October 4, 2011

LOSCH & EHRLICH

15  
16 By:

/s/ Ronald K. Losch

17 Ronald K. Losch, Esq.  
18 Attorney for Defendants  
19 Elvira B. Cardona, Rodolfo Cardona, and  
Monte Farley Manor

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
21

22 DATED: 10/13/2011

23   
24 Paul Singh Grewal  
25 United States Magistrate Judge  
26  
27  
28

**PROOF OF SERVICE**

1 I, STAN CRESPO, declare that:

2 I am a citizen of the United States and am employed in the County of San Francisco,  
3 State of California. My business address is 354 Pine Street, 3<sup>rd</sup> Fl., San Francisco, CA  
4 94104. I am over the age of 18 years and not a party to the within cause.

5 I am readily familiar with my employer's business practice for collection and processing  
6 of correspondence for mailing with the United States Postal Office. On October 11, 2011, I  
7 caused to be served: PLAINTIFF ELY BARTOLO'S STIPULATION AND REQUEST FOR  
8 ORDER TO CONTINUE MEDIATION DEADLINE on:

9 Ron Losh, Esq.  
10 Losch & Ehrlich  
11 Attorneys-at-Law  
12 425 California Street, Suite 2025  
13 San Francisco, CA 94104

14 ☒ **(BY MAIL)** In a sealed envelope with postage thereon fully prepaid, I deposited such  
15 envelope in the United States mail at San Francisco, California for the office of the addressee  
16 above. (CCP section 1010)

17 ☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this  
18 date to the office of the addressee(s).

19 ☐ **(BY FACSIMILE)** I caused the said document(s) to be transmitted by facsimile  
20 machine to the number indicated after the address (es) noted above.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct. Executed on October 11, 2011 at San Francisco, California.

23  
24  
25  
26  
27  
28 By:

  
STAN CRESPO